

1 Edward S. Zusman (SBN 154366)
ezusman@mzclaw.com
2 Kevin K. Eng (SBN 209036)
keng@mzclaw.com
3 MARKUN ZUSMAN FRENIERE & COMPTON LLP
4 465 California Street, 5th Floor
San Francisco, California 94104
Telephone: (415) 438-4515
5 Facsimile: (415) 434-4505

6 Attorneys for Plaintiffs

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9 UNITED STATES DISTRICT COURT
10 FOR THE NORTHERN DISTRICT OF CALIFORNIA
11 SAN FRANCISCO DIVISION

12 STEVEN SIEGAL, JAMES RYBICKI, DAVID
13 GROBLEBE, individually and as General Partner
of GROBCO II, and CHRISTIAN WIPF, ON
14 BEHALF OF THEMSELVES AND ALL
INDIVIDUALS SIMILARLY SITUATED,
15 Plaintiffs,

16 vs.

17 G. THOMAS GAMBLE, LOREN J. MILLER,
HENRY LOWENSTEIN, PAUL W. BATEMAN,
18 EDWARD M. GABRIEL, JAMES S. MAYER,
BEHROOZ SARAFRAZ, LYNN BLYSTONE,
19 ALFRED LOPEZ, MASTON CUNNINGHAM,
JOHN DURBIN, GREG BILLINGER, K&L
20 GATES LLP, CHARLES A. DALE III, JOSHUA
LANE, AND DOES 1 THROUGH 100,
21 INCLUSIVE,

22 Defendants.

Case No. 13 Civ. 3570-RS

**STIPULATION TO MODIFY
SCHEDULING ON DR. ALFRED
LOPEZ'S MOTION TO DISMISS;
~~PROPOSED~~ ORDER**

23
24 WHEREAS, on October 5, 2015, Defendant Alfred Lopez filed a Motion To Dismiss the
25 Second Amended Complaint (Dkt. 126);

26 WHEREAS, the hearing for Defendant's Motion was set for November 19, 2015, at 1:30
27 p.m.;

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1 WHEREAS, Plaintiffs' counsel has a conflict with the November 19, 2015 hearing date;

2 WHEREAS, Plaintiffs' counsel has a number of preexisting deadlines during the week of
3 October 19, 2015;

4 WHEREAS, Plaintiffs' opposition to Defendant's Motion is currently due October 19,
5 2015;

6 WHEREAS, Plaintiffs request a two-week extension to prepare and file oppositions to the
7 Defendant's Motion;

8 WHEREAS, Defendant has granted Plaintiffs' request for an extension; and

9 WHEREAS, Defendant believes it is appropriate for his Motion to be decided before a
10 renewed motion for preliminary approval of settlement;

11 NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED by and between
12 Plaintiffs and Defendant Lopez, subject to the approval of the Court, that:

13 (1) The hearing on Defendant's Motion shall be continued to January 14, 2016;

14 (2) Opposition papers to the Motion shall be filed on or before November 4, 2015;

15 (3) Reply papers in support of the Motion shall be filed on or before November 18,
16 2015;

17 (4) Plaintiffs' renewed Motion For Preliminary Approval of Settlement ("Preliminary
18 Approval Motion"), shall be set for hearing no earlier than February 18, 2016, or after the
19 Defendant's Motion has been decided, whichever date is later.

20 Dated: October 16, 2015

MARKUN ZUSMAN FRENIERE & COMPTON
LLP

21 By /s/ Kevin K. Eng
22 Edward S. Zusman
23 Kevin K. Eng

24 Attorneys for Plaintiffs

25 Dated: October 16, 2015

MURPHY COOKE KOBRICK LLP

26 By /s/ Christopher Cooke
27 Christopher Cooke

28 Attorneys for Defendant Dr. Alfred Lopez

~~PROPOSED~~ ORDER

Pursuant to the parties' stipulation and pursuant to Rule 7-11 of the Civil Local Rules, the Court hereby adopts and approves the terms of the parties' stipulation set forth above, and orders that:

(1) The hearing on Defendant's Motion (Dkt. No. 126) shall be continued to January 14, 2016, 1:30 p.m.;

(2) Opposition papers to the Motion shall be filed on or before November 4, 2015;

(3) Reply papers in support of the Motion shall be filed on or before November 18, 2015;

(4) Plaintiffs' renewed Motion For Preliminary Approval of Settlement ("Preliminary Approval Motion"), shall be set for hearing no earlier than February 18, 2016, or after the Motion has been decided, whichever date is later.

IT IS SO ORDERED.

Dated: 10/19/15



The Honorable Richard Seeborg
United States District Judge